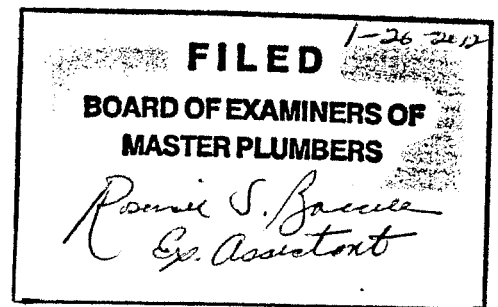


JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Examiners of Master Plumbers



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF MASTER PLUMBERS

IN THE MATTER OF

JASON BELANGER, LMP
License No.36BI01265800

TO PRACTICE PLUMBING
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Jason Belanger ("respondent") is a licensed master plumber in the State of New Jersey. Respondent was initially licensed on November 25, 2009.
2. The Board received a complaint from Russell Peterson, the Manchester Township Plumbing Sub Code Official. Mr. Peterson alleged that on September 10, 2009 respondent, at a time when he was not licensed, was digging in a Manchester Township front yard. Respondent claimed there was a broken water service, it was an emergency, and respondent would be applying for a plumbing permit. (Exhibit A, Manchester Township Complaint, attached).
3. On September 28, 2009 upon review of the plumbing permit by Mr. Peterson, he realized that the permit application filed by the respondent was signed by him, but sealed with the seal press belonging to the respondent's father, who was at that time, a New Jersey licensed master plumber. Respondent's father indicated that his son was not authorized to use his seal press to seal the permit application. (Exhibit A, Manchester Township Complaint, attached).
4. Respondent next submitted, on September 28, 2009, a second permit application signed and sealed by Paul Zalinsky, licensed master plumber. However, Mr. Zalinsky's license had expired and subsequently became suspended pursuant to N.J.S.A. 45:1-7.1(b). Respondent was notified by Manchester Township officials but failed to comply with their requests to meet regarding his unlicensed

status and therefore Manchester Township officials sent the respondent a Notice of Violation and Order to Terminate. (Exhibit A, Manchester Township Complaint, attached). (Exhibit B, copy of plumbing permit application, dated September 28, 2009, attached). (Exhibit C, Notice of Violation and Order to Terminate, dated October 6, 2009, attached).

5. On October 29, 2009, respondent was observed by Mr. Peterson digging up a water service at 16 Elmswell Avenue, Leisure Knoll, Manchester Township. Respondent indicated he was repairing the system. Respondent was notified by Mr. Peterson that he was working in violation of statutes requiring a Master Plumber's License in New Jersey. (Exhibit A, Manchester Township Complaint, attached).

6. The Board received a second letter from the Manchester Township Plumbing Sub Code Official, dated November 20, 2009. According to the letter, respondent paid a fine of \$500.00 for false and misleading statements. On November 13, 2009 respondent applied for a technical plumbing permit which was signed and sealed by Benjamin Silkwoitz, LMP #12379. (Exhibit D, letter from Manchester Township Plumbing Sub Code Official, dated November 20, 2009, attached and made a part of hereto). (Exhibit E, Notice and Order of Penalty, dated October 6, 2009, attached).

CONCLUSIONS OF LAW

The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(h), in that respondent has violated and failed to comply with the provisions of an act or regulation administered by the Board, specifically, by working as a master plumber and using the title and designation of master plumber without being licensed, in violation of N.J.S.A. 45:14C-12.3 and N.J.A.C. 13:32-1.4(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on July 28, 2011. A copy of the Order was forwarded to respondent's address of record, via United Parcel Service 2nd Day Air Service. The Board obtained a copy of the United Parcel Service delivery sheet confirming delivery of the Provisional Order to the respondent's address of record with the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following its entry unless respondent requested a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal, setting forth in writing any and all reasons why said findings and conclusions should not be modified or dismissed, and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

On November 29, 2011, respondent corresponded in writing to the Board, indicating that he wished to change his licensed status from expired to inactive. However, respondent did not submit a written request for modification or dismissal of the Findings of Fact or Conclusions of Law contained in the

Provisional Order of Discipline. Respondent also failed to submit any and all documents or other written evidence supporting a request for a mitigation of the penalty. Respondent therefore failed to reply to the Provisional Order of Discipline. As such, the Board determined that the Provisional Order of Discipline, entered on July 28, 2011, is to be finalized as written.

ACCORDINGLY, IT IS on this 26TH day of JANUARY, 2012,
ORDERED that:

1. Respondent is hereby reprimanded for the conduct outlined above in violation of N.J.S.A. 45:1-21(h).
2. Respondent is hereby assessed a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:1-21(h), in that respondent has violated and failed to comply with the provisions of an act and regulation administered by the Board, specifically, by working as a master plumber and using the title and designation of master plumber without being licensed, in violation of N.J.S.A. 45:14C-12.3 and N.J.A.C. 13:32-1.4(b).
3. Respondent shall remit payment of the civil penalty by certified check or money order made payable to the State of New Jersey. The certified check or money order shall be delivered to Executive Director, State Board of Examiners of Master Plumbers, 124 Halsey Street, Sixth Floor, P.O. Box 45008, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the entry of any Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.
4. Failure to timely remit any and all payments required by this order will result in the filing of a certificate of debt with interest accruing at the rate provided by the Rules of Court, and may result in subsequent disciplinary proceedings for failure to comply with an order of the Board, which could include suspension and revocation of license.

NEW JERSEY STATE BOARD OF
EXAMINERS OF MASTER PLUMBERS

By: Peter J. Voros
Peter Voros
Board Chairman